



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
COCOA REGULATORY OFFICE
400 HIGH POINT DRIVE, SUITE 600
COCOA, FLORIDA 32923

Regulatory Division
North Permits Branch
Cocoa Field Office
SAJ-2008-4385 (IP-EPB)

DEC 5 2008

PUBLIC NOTICE

Permit Application No. SAJ-2008-4385 (IP-EPB)

TO WHOM IT MAY CONCERN: This district has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. §1344) as described below:

APPLICANT: Orange County Public Works
4200 South John Young Parkway
Orlando, FL 32839

WATERWAY & LOCATION: Wetlands on the project site are connected to the Econlockhatchee River through ditches and other conveyances. The project is located west of Challenger Parkway; north and south of State Road 50; in Sections 14, 15, 22, and 23; Township 22 South; Range 31 East; Orlando; Orange County; Florida.

Directions to the site are as follows: Proceed on Colonial Drive (SR 50) to Woodbury Road. The proposed Woodbury Road extension will continue from the south side of SR 50 to the north and will terminate at Challenger Parkway.

LATITUDE & LONGITUDE: Latitude.....28.565747° North
Longitude....81.194877° West

PROJECT PURPOSE:

Basic: The basic project purpose is roadway construction.

Overall: The overall project purpose is the extension of Woodbury road to connect with Challenger Parkway to alleviate traffic congestion.

PROPOSED WORK: The applicant proposes to deposit fill material in 5.52 acres of waters of the U.S. and 0.14 acres of surface waters for the extension of Woodbury Road. The 11.23 acre project will

include stormwater facilities that consist of wet detention ponds and a storm sewer.

Avoidance and Minimization Information: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: The impacts are limited to those necessary for the construction of the roadway and the stormwater management facilities.

Compensatory Mitigation: The applicant has offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment: The applicant will purchase 5.52 federal mitigation credits from the TM-Econ Mitigation Bank.

EXISTING CONDITIONS: The project site is bordered by SR 50, Challenger Parkway, SR 408, and commercial and residential development. North of SR 50, the west side of the project site is bordered by a permitted car dealership and the parcel on the east is permitted as a student housing facility. South of SR 50 an apartment complex and a commercial project are located to the west and vacant land is on the east.

The onsite wetlands include 1 acre of Pine Flatwoods (FLUCFCS 411), 1.62 ACRE OF Hardwood-Conifer Mixed (FLUCFCS 434), 0.10 acre of Other Hardwoods (FLUCFCS 439), 0.41 acre of Mixed Wetland Hardwoods (FLUCFCS 617), 0.18 acre of Pond Pine (FLUCFCS 622), 1.11 acre of Mixed Pine (FLUCFCS 629), 2.5 acres of Wetland Forested Mixed (FLUCFCS 630), and 1.8 acres of Wetland Shrub (FLUCFCS 631). Developed areas consist of 1.53 acres of Roads and Highways (FLUCFCS 814), 0.04 acre of Electrical Power Transmission Lines (FLUCFCS 832), and 0.94 acre of Stormwater Treatment Areas & Associated ROW Easement (FLUCFCS 836).

ENDANGERED SPECIES: The U.S. Army Corps of Engineers (Corps) has determined the proposed project is not likely to adversely affect the Wood Stork or Eastern Indigo Snake. The mitigation is adequate to offset any impacts to the Wood Stork. The 'Standard Protection Measures for the Eastern Indigo Snake' will be implemented while the project is under construction.

ESSENTIAL FISH HABITAT (EFH): This notice initiates consultation with the National Marine Fisheries Service on EFH as required by the Magnuson-Stevens Fishery Conservation and Management Act 1996. Due to the location of this project, the Corps has determined that the project will not affect marine fisheries resources.

NOTE: This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The jurisdictional line has not been verified by Corps personnel.

AUTHORIZATION FROM OTHER AGENCIES: Water Quality Certification may be required from the Florida Department of Environmental Protection and/or one of the state Water Management Districts.

Comments regarding the application should be submitted in writing to the District Engineer at the above address within 21 days from the date of this notice.

If you have any questions concerning this application, you may contact Elizabeth Bishop at the letterhead address, by electronic mail at elizabeth.p.bishop@usace.army.mil, by fax at 321-504-3803, or by telephone at 321-504-3771 extension 16.

The decision whether to issue or deny this permit application will be based on the information received from this public notice and the evaluation of the probable impact to the associated wetlands. This is based on an analysis of the applicant's avoidance and minimization efforts for the project, as well as the compensatory mitigation proposed.


IMPACT ON NATURAL RESOURCES: Preliminary review of this application indicates that an Environmental Impact Statement will not be required. Coordination with U.S. Fish and Wildlife Service, Environmental Protection Agency (EPA), the National Marine Fisheries Services, and other Federal, State, and local agencies, environmental groups, and concerned citizens generally yields pertinent environmental information that is instrumental in determining the impact the proposed action will have on the natural resources of the area. By means of this notice, we are soliciting comments on the potential effects of the project on threatened or endangered species or their habitat

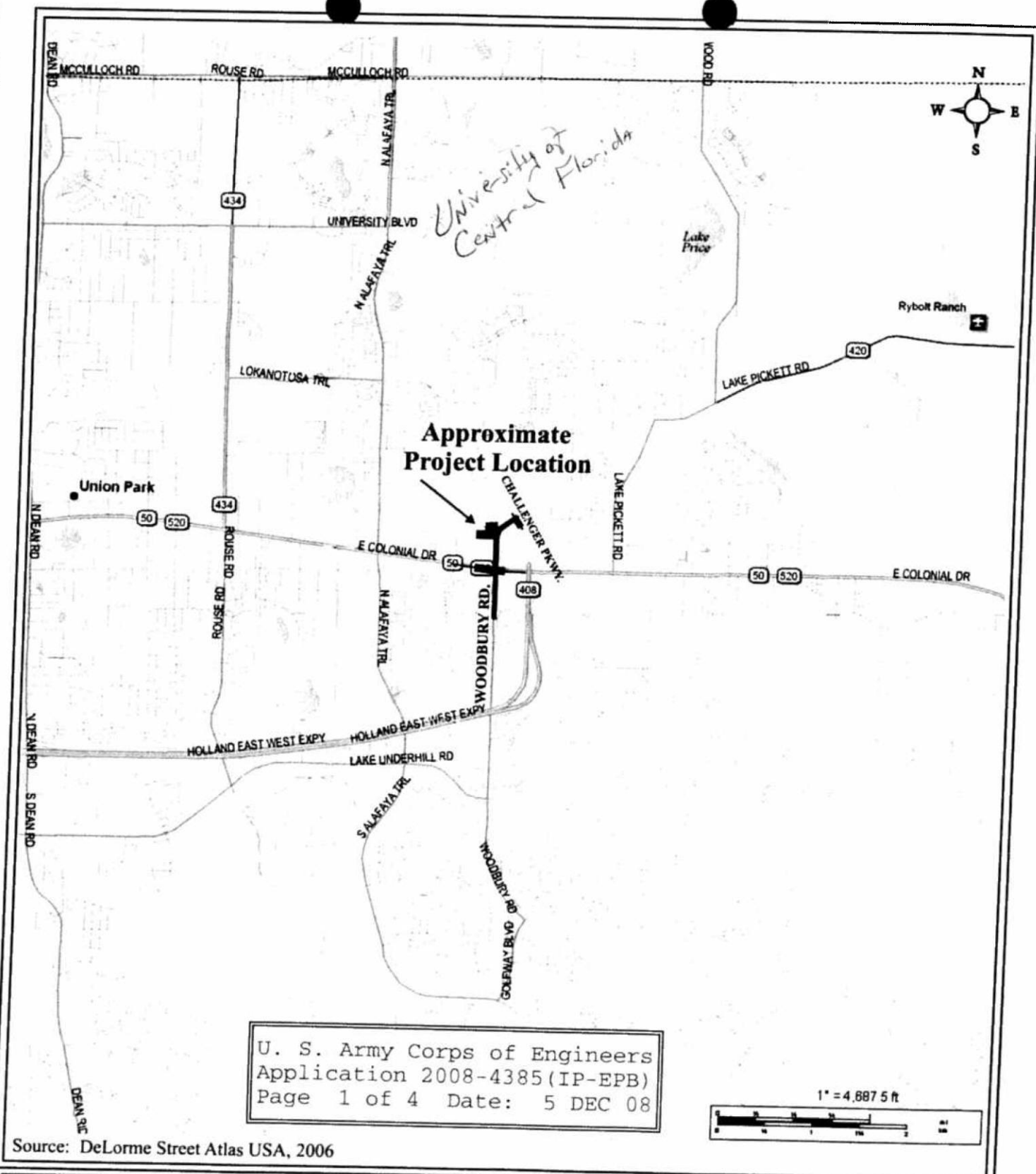
IMPACT ON CULTURAL RESOURCES: Review of the latest published version of the National Register of Historic Places indicates that no registered properties or properties listed as eligible for inclusion therein are located at the site of the proposed work. Presently, unknown archaeological, scientific, pre-historical, or historical data may be lost or destroyed by the work to be accomplished.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of Important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable deterrents. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food, and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act of the criteria established under authority of Section 102(a) of the Marine, Protection, Research, and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest. The US Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make or deny this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

COASTAL ZONE MANAGEMENT CONSISTENCY: In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan. In Puerto Rico, a Coastal Zone Management Consistency Concurrence is required from the Puerto Rico Planning Board. In the Virgin Islands, the Department of Planning and Natural Resources permit constitutes compliance Coastal Zone Management Plan.

REQUEST FOR PUBLIC HEARING: Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.


David S. Hobbie
Regulatory Division



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 email: emd@emd-inc.net

LOCATION MAP

WOODBURY ROAD EXTENSION

Secs. 14, 15, 22, & 23 Twn. 22S Rng. 31E

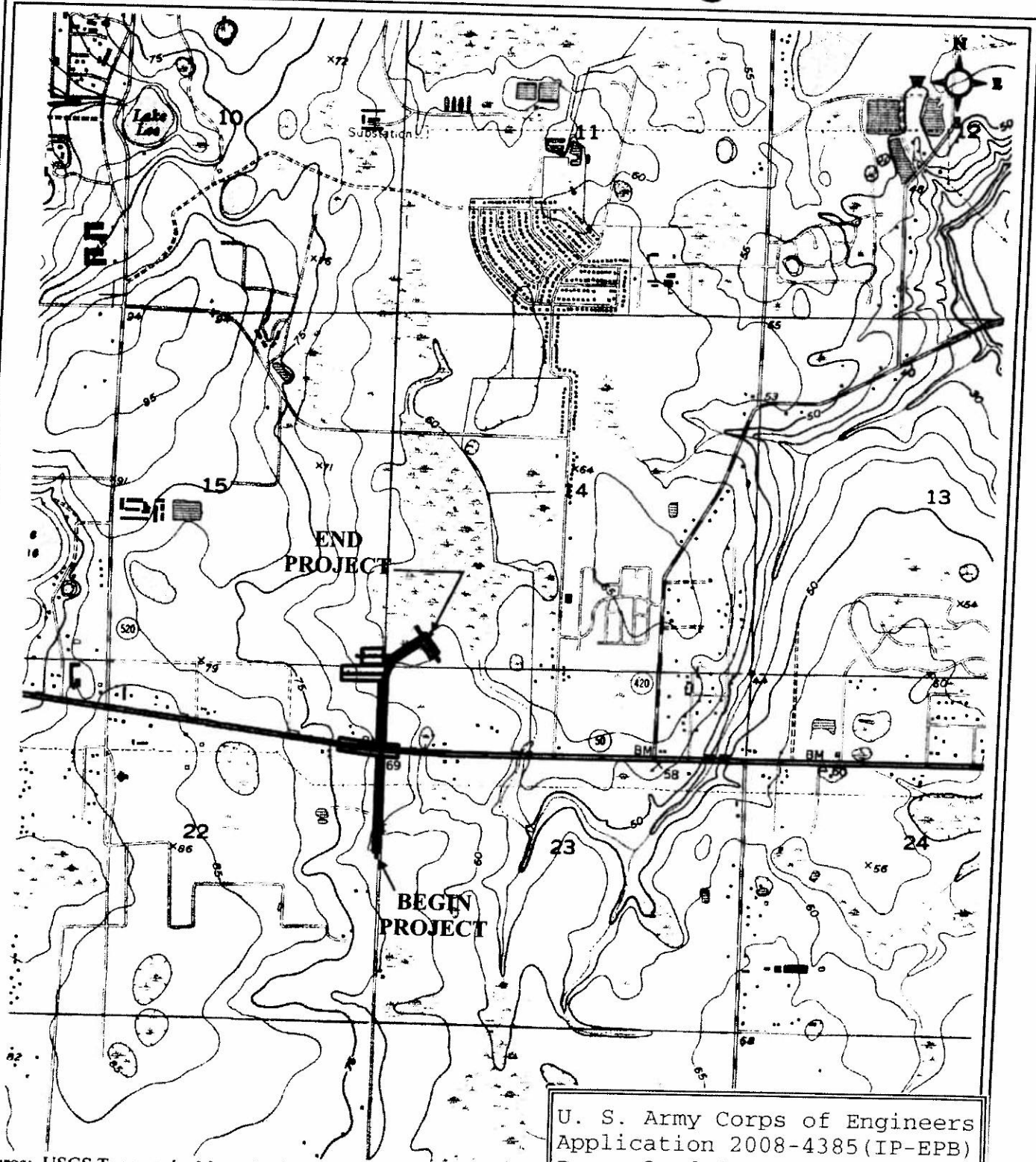
Orange County, Florida

FIGURE: 1

SCALE: Bar Scale

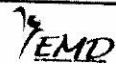
JOB NO.: 72.12

DATE: 10/17/2008



Source: USGS Topography Maps, Oveido SW

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USGS QUAD MAP

WOODBURY ROAD EXTENSION

Secs. 14, 15, 22, & 23 Twn. 22S Rng. 31E

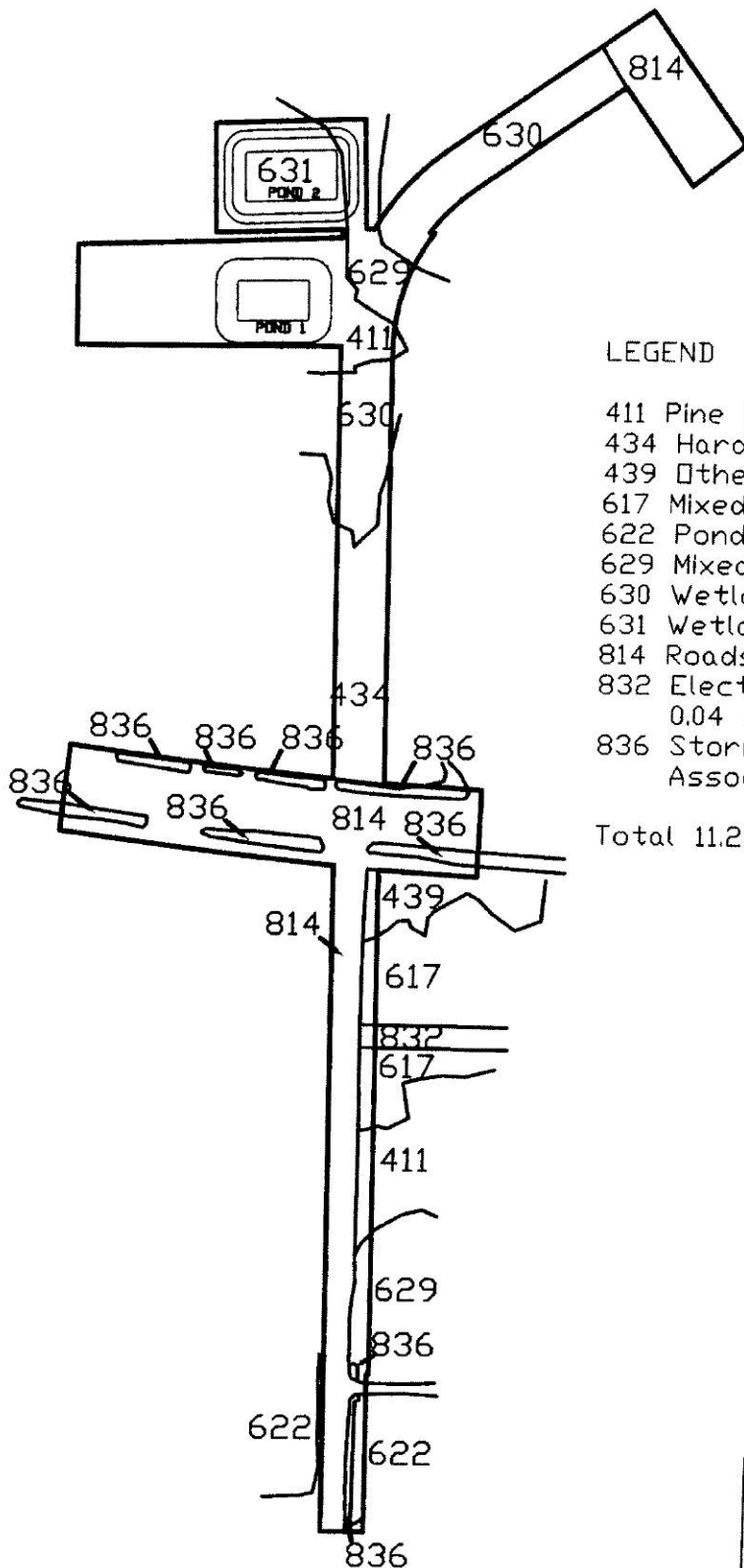
Orange County, Florida

FIGURE: 3

SCALE: 1 : 24,000

JOB NO.: 72.12

DATE: 10/17/2008



LEGEND

- 411 Pine Flatwoods - 1.00 Ac.
- 434 Hardwood-Conifer Mixed - 1.62 Ac.
- 439 Other Hardwoods - 0.10 Ac.
- 617 Mixed Wetland Hardwoods - 0.41 Ac.
- 622 Pond Pine - 0.18 Ac.
- 629 Mixed Pine - 1.11 Ac.
- 630 Wetland Forested Mixed - 2.50 Ac.
- 631 Wetland Shrub - 1.80 Ac.
- 814 Roads and Highways - 1.53 Ac.
- 832 Electrical Power Transmission Lines 0.04 Ac.
- 836 Stormwater Treatment Areas & Associated ROW Easement - 0.94 Ac.

Total 11.23 Ac.

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FLUCFCS MAP

WOODBURY ROAD EXTENSION

Secs. 14, 15, 22 & 23 Twn. 22S Rng 31E

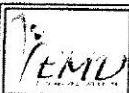
Orange County, Florida

FIGURE: 5

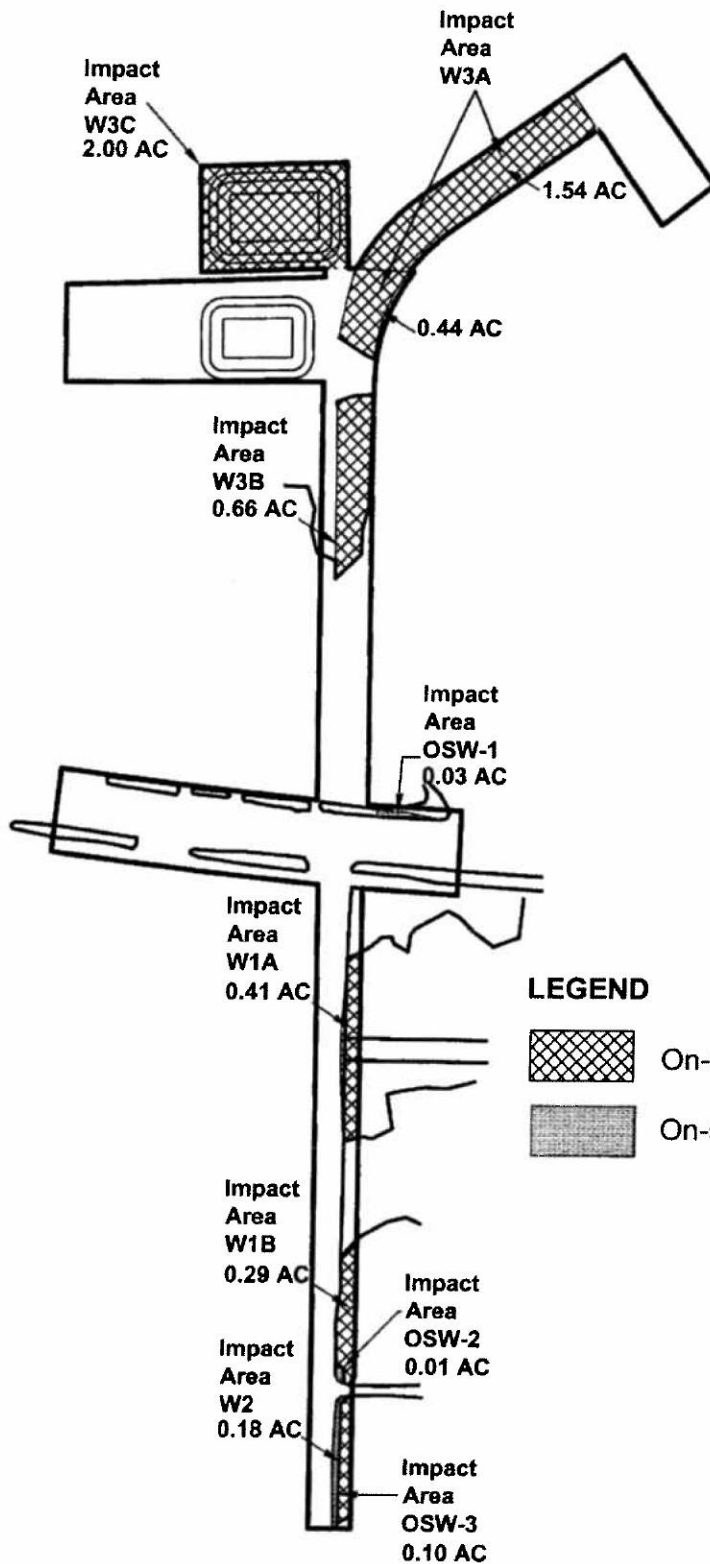
SCALE: 400 ft.

JOB NO.: 72.12

DATE: 10/21/2008



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Source: Data provided by Kimley-Horn and Associates, Inc., October 2008

PROPOSED IMPACTS ACOE JURISDICTION

WOODBURY ROAD EXTENSION

Secs. 14, 15, 22 & 23 Twn. 22S Rng 31E

Orange County, Florida



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FIGURE: Appendix 5

SCALE: 430 ft.

JOB NO.: 72.12

DATE: 10/21/2008